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App F IX-4

Previous References

1954-55 (C M)

File No 15-54-
Serial Nos 19, 20

Later References

MYSORE GOVERNMENT SECRETARIAT

Serial Nos Two

Part B for November 1954

SUBJECT

Amendment of Octroi Bye laws —
Enhancement of Export Pass fee to 4 annas —
(Vide bye-laws No 7 and 16 of the Octroi Bye-laws)
— Mysore city MCty

WD 06701—GPB—25 000—11 8 54

To,

The Municipal Commissioner, Mysore city MCty
& Controller, S A A,
L 9456-7/ Dated 4 11 54

Sanctions

10/11
(
Jn Ramakrishnaiah
10 12 54

L+113/1911 (1)

From

The Pll Comm Mysore Cy-Mls

C2 PR 82/54-55-Dj 7-9 54

Request sanction to the Resolution

dated 30 8 54 of the Mlcl Mysore

approving the enhancement of

tax-fee from one anna to four

annas per pass

The Pll Comm states that the present

rate of export-fee levied for

granting an export pass under

Rules 7 and 16 of the Cotton Cycloons

of the Mls is anna one per pass

The Mlcl, during the Consideration

of the Budget estimates of the Mlcl

for 1954 55 felt that the rate

might be increased to annas four

Accordingly objections to the proposed

enhancement were called for by

due publication in the Official

Gazette. It was stated that one

objection from Mangalore Cotton

Brokers Assn was received within

the stipulated time that the rate

Amendment (24) 4113/171 to the Octroi Bye-laws - Enhancement of export pass fee to 4 annas - Proposal thereof is, too high and it might be reduced to annas two only The above objection was overruled by the MC and approval of the proposed amendments, overruling the objection by three members, have been observed by the MC The proposed amendments to enhance the fee levied to export passes to 4 annas may perhaps be sanctioned

3) The one irregularity to be pointed out in the present case is that the MC have not obtained prior approval of Govt before calling for objections This has been observed in similar proposals This can be pointed out to the MC Commr for guidance The action may be ratified at the amendment sanctioned

Pl discuss

25/2/29 4 pl type below the opinion of the Law Secy

21/3/29

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5) Extract from the opinion of Law Secretary on file bearing D No 1393/ML -

"The addition of items not already found in the schedule to the Act requires approval of Government This approval has to be a prior approval It is only after approval of Government is given that the Municipality gets the power to levy and notify the proposal It is therefore necessary that specific approval of Government is granted

Subject Amendment of octroi bye-laws - enhancement of export pass fee to four annas - Mysore City Municipality
^113/41

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grated to the inclusion of additional items with the description of those items in the manner such approval is granted

6) Rebecca puts a hypothetical question - for perusal it appears from the above opinion that prior sanction of Govt as necessary if additional items not already found in the Schedule to the Act are included in the present case it appears an additional levy but it is an enhancement of the levy already made therefore sanction of Govt is not called for by the Municipal Council Mysore

7) The amendments proposed to enhance the fee levied to export passes from one anna to four annas may perhaps be approved The prescribed formalities have been observed in this behalf

PS 18/X Sec 19/10 8 The amendment may be appd with the concurrence of the Law Secy

1954

Secy Law) 9 There is no legal point involved.

10 The proposal is appd

21/X

No Cy PR 83/54-55
Encl Objection petition, Notification Copies, TCR

CITY MUNICIPAL COUNCIL
P B NO 17
7-9-54

MYSORE STATE MUNICIPAL BRANCH
4113
10 SEP 1954
Mysore Dated

SECRETARY TO GOVT
9- SEP 1954
L S G DEP

FROM

The Municipal Commissioner,
CITY MUNICIPAL COUNCIL,
MYSORE

To

C M 15-5-54-19

The Secretary to Government,
L S G & Planning Departments,
Bangalore-1

SIPA 9/9

Sir,

Subject - Amendment of octroi bye-laws - Enhancement of export pass fee to 4 annas (vide bye-law No 7 and 16 of the Octroi Bye-laws)

The present rate of export fee levied for granting an export pass under rule 7 and 16 of the Octroi Bye-laws of the Municipality (vide page No 69 and 75 of the 1953 /Edn of Bye-laws) is anna one per pass

During the consideration of the Budget estimates of the Municipal Council for 1954-55 the Councilfelt that therate might be increased to annas four Accordingly objections to the - proposed enhancement were called for by due publication in the officaal Gazette Copies of Gazette notification are enclosed for perusal of Government One objection from Mangalore Ganesh Beedi works was received within the stipulated time that therate is too high and it might be reduced to annas two only

The above objection was examined by the Council while considering the note for the final approval of the proposed amendment The Council was of the view that the rate of one anna was fixed long ago Without due consideration to the expenditure to be incurred in this behalf and the very fact that the - depression in trade referred to in the objection is not well explained was enough evidence to show that it was only an - argument not founded on facts Overruling the objection the Council have therefore approved of the proposed amnêment finally

P T O

I enclose a copy of the resolution as also the objection in original and request you kindly to obtain orders of Government approving the enhancement of the fee from one anna to four annas per pass

Yours faithfully,

(N Lakshman Rau)
MUNICIPAL COMMISSIONER.

Forwarded with compliments,

7/9

(K Puttaswamy)
President

PSK

CITY MUNICIPAL OFFICE MYSORE (3)

N tificatn n dated 25th J 1951

No C2. R.R 83—54 55 Notice is hereby given to the inhabitants of the Municipality of Mysore that the Municipal Council desire to amend the Octroi Bye laws so as to enhance the fee levied for export passes to 4 annas *(vide* bye laws No 7 and 16 of the Octroi Bye laws*)*

Any inhabitant of the Municipality objecting to the proposed amendment may w thin one month from the date of this notification send his objections in writing to the Municipal Council

N LAKSHMAN RAU
Municipal Commr.

527

Proceedings of the Ordinary meeting of the Council held on 30-8-1954 at 4 P M in the Municipal Offices

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583 Office Note dated 19-8-54 re the final approval of the amendment to the Octroi Bye-laws so as to levy an enhanced expert pass fee of 4 as (vide bye-laws No 7 and16 of the Octroi bye-laws) vide also objection petition received from Mangalore Ganesh Beedi works and octroi Superintendent's note thereon

Approved

Sd K Puttaswamy
President

Copy,

Municipal Commissioner

7/9

(5) Proceedings of the Govt of Mysore 24/11

Read:-

5 copies

Letter no C2 SR 83/54-55 dated 7954 from the Dy Comm Mysore Cy-MG-Requesting sanction to the amendment of the ochin byelaws so as to levy an enhanced export pass fee of 4 annas (Vide byelaws no 7 and 16 of the ochin byelaws) as resolved by the MCs at their meeting held on 30854 and stating that all the prescribed formalities have been observed and that the objections that were received (were in the public) duly considered

Order no L 9456-7 / C on 15-54-20 dt 4-11-54

The proposal of the MCs to amend the ochin byelaws so as to levy an enhanced export pass fee of annas 4 is sanctioned

Sd/-
for SECY to GOVT

To the Dy Comm Mysore Cy for info & necessary action

To the Controller SOD

Spare 2 pl

DS 1/11/54

(6)

PROCEEDINGS OF THE GOVERNMENT OF MYSORE

R e a d :-

Letter No.C2.P R 83/54-55 dated the 7th September 1954 from the Municipal Commissioner, Mysore City Municipality, requesting sanction to the amendment of the octroi bye-laws so as to levy an enhanced export pass fee of 4 annas (vide byelaws No 7 and 16 of the octroi byelaws) as resolved by the Municipal Council at their meeting held on 30-8-1954 and stating that all the prescribed formalities have been observed and that the objections that were received in this behalf were duly considered.

ORDER No.L 9456-7 /CM 15-54-2C

DATED, BANGALORE, THE 4th NOVEMBER 1954.

The proposal of the Municipal Council to amend the octroi byelaws so as to levy an enhanced export pass fee of annas four is sanctioned

(V. Tanumathaiah)
for Secretary to Government,
L S G & Planning Department

To

The Municipal Commissioner, Mysore City Municipality, (through the President) with records,
The Controller, State Accounts Department.

LSG.5.1/11.